

Order on I.A. No. I

1. Perused IA.No.I, affidavit of the plaintiff and documents produced by her.

2. It is the case of the plaintiff that, she has filed the suit for the relief of partition and separate possession against the defendants. It is further stated that plaintiff and defendants are the members of the Hindu

Undivided joint family and still there is no partition in the joint family and the plaintiff is also having share in all the suit schedule properties. When the plaintiff demanded to effect partition, for which defendants refused to give share in the ancestral properties. Now the defendants are trying to alienate the Item Nos.1 to 3 of the suit schedule properties in order to cause inconvenience to her. Hence, she prays to allow IA.No.I.

3. On perusal of the plaint averments and documents produced by the plaintiff, prima-facie it appears that the plaintiff has made out sufficient grounds to grant interim ex-parte temporary injunction order. If the defendants are not restrained from alienating or transferring the suit schedule properties, the very purpose of filing of the suit will be defeated and it will lead to multiplicity of the proceedings. Hence, I proceed to pass the following :

ORDER

IA.No.I filed U/O-39, Rule-1 & 2 R/w Section 151 of CPC is hereby allowed and the defendants or their henchmen are hereby restrained from alienating or encumbering or mortgaging or creating charges over the suit schedule properties to anybody, by any mode or manner till next date.

The plaintiff shall comply order XXXIX
Rule III(A) of CPC.

Issue notice on order passed on IA.No.I
and SS to defendants.

Returnable by :

**Senior Civil Judge & JMFC,
Arsikere.**